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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/664,168	09/17/2003	Maurice Johan Jozef Haan	0142-0424P	4189
2292	7590	03/15/2006	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			VO, ANH T N	
			ART UNIT	PAPER NUMBER
			2861	

DATE MAILED: 03/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

H.A

**Office Action Summary**

Application No.

10/664,168

Applicant(s)

HAAN ET AL.

Examiner

Anh T.N. Vo

Art Unit

2861

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 1/11/2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,2,4-6 and 8-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-6 and 8-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## NON-FINAL REJECTION

### *Claims Rejections*

#### *Claim Rejections - 35 U.S.C. § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2, 4-6, and 8-10 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Childers et al. (US Pat. 6,227,638) in view of Purcell et al. (US Pat. 6,375,298).

Childers et al suggests in Figures 1-11 an ink cartridge comprising:

- an ink tank (12) containing an electronic memory device (26) for storing information on the contents of the ink tank (12), said ink tank comprises an elongated casing (72) having one end thereof adapted to be inserted into a mounting socket (14) of the ink jet printer, said electronic memory device (26) being provided on a bottom side (74) of the casing (72) and configured to electrically engage the mounting socket (14) under the weight of the ink tank;
- the electronic memory device (26) is configured as a button which is located near said one end of the casing (Figure 7);
- a coupling member (20) extending from said one end of the casing and adapted to engage a coupling member (28) of the mounting socket (14) so as to fluidly connect the interior of the ink tank (12) with the ink supply system of the printer;

- the electronic memory device (26) is held in a mounting recess (80) formed on the outside of a bottom wall of the casing (Figures 6-7), the button (26) has a casing (78) comprising a circumferential wall and a bottom wall which are both made of electrically conductive material but are electrically insulated from one another so as to form at least two electrical contacts (24);
- wherein mounting socket (14) adapted to receive and hold an ink tank (12) which comprises a support arm which is provided with an upwardly biased spring contact (30) which is adapted to engage the electronic memory device (26) of the ink tank (12) (Figure 8); and
- wherein said support arm contains a second spring contact (30) which is adapted to engage a circumferential wall of the electronic memory device (26) (Figure 8); and
- a coupling member (28) of the mounting socket (14) adapted to be brought into engagement with a coupling member (20) of the ink tank (12), the coupling members (20, 28) being held in engagement by snap-action.

However, Childers et al. do not disclose said ink tank to be inserted into a mounting socket of the ink jet printer in an essentially horizontal direction.

Nevertheless, Purcell et al. disclose in Figures 1, 4-5 and 7-8 an ink cartridge for a printing system comprising an ink tank (90) containing an electronic memory (78) device for storing information on the contents of the ink tank, said ink tank including an elongated casing (92) having one end thereof adapted to be inserted into a mounting socket (120) of the ink jet printer in an essentially horizontal direction, said electronic memory device (78) being provided on a bottom side (96) of the casing (92) and configured to electrically engage the mounting socket (120).

It would have been obvious to a person having skill in the art at the time the invention was made to incorporate the teaching of Purcell et al. in the Childers et al ink delivery system for the purpose of minimizing mechanical interference between the memory element and print carriage when the cartridge is installed (see column 2, lines 65-67 of Purcell et al reference).


***Response to Applicant's Arguments***

The applicant's arguments with respect to the prior art rejection have been carefully considered and have been traversed in view of the new grounds of rejection over Purcell et al reference.

***CONCLUSION***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Anh Vo whose telephone number is (571) 272-2262. The examiner can normally be reached on Tuesday to Friday from 9:00 A.M. to 7:00 P.M..

The fax number of this Group 2861 is (571) 273-8300.



**ANH T.N. VO**  
**PRIMARY EXAMINER**

March 10, 2006